

PREFERENTIAL PAYMENTS IN BANKRUPTCY (IRELAND)
ACT, 1889.

COPY of Order in Council, dated 28th January 1891, making Rules under the
the above Act.

(Presented pursuant to Act of Parliament.)

THE PREFERENTIAL PAYMENTS IN BANKRUPTCY (IRELAND)
ACT, 1889.

By the Lord Lieutenant and Privy Council in Ireland.

ZETLAND.

WHEREAS by the "Preferential Payments in Bankruptcy (Ireland) Act, 1889," it is enacted that the Lord Lieutenant of Ireland, as regards the Local Courts of Bankruptcy, by Order in Council, may at any time after the passing of the said Act, and from time to time, make orders in respect of the matters and for the purposes in said Act mentioned, and may from time to time alter or revoke such orders:

And whereas it is expedient to make orders in respect of Preferential Payments in Bankruptcy in said Act:

Now We, the Lord Lieutenant General and General Governor of Ireland, by and with the advice of Her Majesty's Privy Council in Ireland, and under and by virtue of the said "Preferential Payments in Bankruptcy (Ireland) Act, 1889," and the powers therein contained, and of every other power thereto enabling Us, do hereby, by this Our Order, prescribe, define, and direct as follows:—

1. Every person to whom a Preferential Payment is due, and desiring to be paid, shall make application therefor to the Official Assignee on the prescribed form in the Schedule hereto.

2. The Official Assignee shall forthwith bring the said application before the Judge or Local Registrar.

3. Every bankrupt or arranging debtor shall set out in the statement of affairs a true list of all persons to whom any Preferential Payment is due, the amount therefor, the period for which and for what the same is due.

4. If any person fails to send in a claim for a Preferential Payment when required by the Official Assignee so to do, or to prove the same if so required, the Court may, on being satisfied that such person had notice, proceed to distribute the assets, or to direct payment of the composition agreed upon, without regard to any claim which such person may have, provided that the Court may, if it think fit, direct that money to pay the amount of such claim shall be retained to abide the further Order of the Court.

5. The Official Assignee, if required by any servant, labourer, or workman, shall fill up the prescribed claim for the wages due to such servant, labourer, or workman.

6. No Preferential Payment shall be made by the Official Assignee without an Order of the Judge or Local Registrar.

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7. An Order for Preferential Payment may be made by the Judge or Local Registrar at any time, and upon any evidence that the Judge or Registrar shall think sufficient, provided that the Judge or Local Registrar, if satisfied that the amount is due, may dispense with any evidence.

8. Until a statement of affairs is filed no Preferential Payment shall be ordered, except in the case of no absconding debtor or bankrupt, or under special circumstances.

9. If necessary, a sitting before the Registrar shall be fixed for the ascertaining of Preferential Debts, of which sitting the Official Assignee shall send, four clear days before the sitting, notice by post to all persons claiming or stated on the statement of affairs to be entitled to a Preferential Payment, and if any claimant or person so stated to be entitled to such payment, having notice of such sitting, fails to attend such sitting, or to forward sufficient particulars of his claim to the Official Assignee, the claim may be struck out, and the Registrar in the memorandum of the sitting, shall state the fact that such claim was struck out.

10. In any case in which a landlord of premises belonging to the bankrupt or an arranging debtor shall have distrained on any goods or effects of a bankrupt or an arranging debtor, and have sold the same within three months next before the date of the adjudication, or in the case of an arranging debtor of the filing of the Petition, the Judge or Registrar may direct the landlord to pay to the Official Assignee the proceeds of the said sale, and to lodge in Court an account thereof, and vouch the same before the Registrar at a sitting to be appointed for the purpose, and the rulings of the Registrar upon the vouching of such account shall be binding and conclusive on such landlord unless varied by the Court. If, under threat of distress, the Official Assignee shall pay to a landlord of any bankrupt or arranging debtor any money for rent, or if any arranging debtor shall pay such rent under threat of distress, the said money or rent shall, for the purpose of this Order, be dealt with as proceeds of a sale under a distress.

11. Every payment (in money or goods) made to any claimant for wages within the requisite period before the adjudication or filing of the Petition, as the case may be, shall be deemed to be on account of wages earned within such period, unless the contrary be shown.

12. No person who has obtained a Preferential Payment in any arrangement matter shall be entitled to any further Preferential Payment, in case the arrangement is turned into bankruptcy.

Given at the Council Chamber, Dublin Castle,
this 28th day of January 1891.

Wolesey.
Arthur James Balfour.
Hedges Eyre Chatterton.
Robert R. Warren.
William O'Brien.

SCHEDULE.

FORM OF CLAIM.

To be verified before the Registrar, Deputy Registrar, Magistrate or Commissioner, or Official Assignee.

AFFIDAVIT AND CLAIM FOR WAGES OR SALARY.

The Bankruptcy (Ireland) Amendment Act, 1873.

The Local Bankruptcy (Ireland) Act, 1888.

The Preferential Payments in Bankruptcy (Ireland) Act, 1889.

The wages, if of a clerk or servant, can only be claimed for services rendered during the four months next before the date of adjudication, and if of a labourer or workman, during the two months next before the said date.

In the Local Bankruptcy Court,
In the matter of

Bankrupt (a)

(a) If an assignment has been made, substitute "Assigning Bankrupt" for the word "Bankrupt". If before adjudication made, "For the purpose of a Petition for Adjudication of Bankruptcy by A. B. make

I, of
in the county of _____ aged upwards
of sixteen years, make oath, and say as follows:—

1. The said (b) _____ was at the
date of the filing of the Petition in this Matter, and still is justly and
truly indebted to (c) me for wages, salary as a clerk, servant, labourer,
workman,

for services rendered to _____ by me as such

(d) (d) The original Adjudication date, before applying for the form, insert the date of Adjudication, or of filing the Petition, as the case may be.

during the _____ months next before the _____ day of _____ 18_____,
the date of the Order of Adjudication, or of filing the Petition, as the
case may be, in the sum of £. : : :
per

The particulars of said demand, and of all payments in money or goods
made to me during the said _____ months are truly set forth in the
Schedule hereon endorsed, for which said demand, or any part thereof,
I say that no manner of satisfaction or security (e) whatsoever hath
been to my knowledge or belief had or received, save as set forth in
the said Schedule, and that neither by myself nor by any other person
on behalf of _____ has any claim or proof been made in this matter,
for or on account of the said demand or any part thereof (f)

(d) "Bankrupt" means a
mortgagor, chargee or his
successor in interest, or any
debtor's estate or interest
in respect of which the
creditor claims such
"debtors" must be stated
and numbered like a
Schedule or list of the
property of any other person
or the liability of any other person
in respect, need not be detailed
unless clearly paid or received.

(f) If adjuvated make in
article any such payment for
wages previously due to me
and not particularised.

I say that the said services were actually rendered by me during the months next before the day of 18 and not otherwise.

Amount due, £.

4.3 Report structure

Sworn at _____ in the County of _____
_____(a) _____ day of _____
One Thousand Eight Hundred and Ninety- _____ and
I know Deponent, before me,
Exhibited this _____ day of _____ 18 _____ }

Local Registrar.

One took me the other side on

Particulars of Wages or Salary

Referred to in the Affidavit on the other side hereof.

The particulars must be set out in full.

DATE.			£. s. d.

1. Deponent should sign at the end of Schedule.

AFFIDAVIT AND CLAIM FOR TAXES.

The Bankruptcy (Ireland) Amendment Act, 1872.

The Local Bankruptcy (Ireland) Act, 1888.

The Preferential Payments in Bankruptcy (Ireland) Act, 1899.

In the Local Bankruptcy Court,

In the matter of

Bankrupt (s)

(b) If an arrangement under subsection "Arranging Debtors" for the West "Bankrupt," it before adjudication may, "In the Name of Plaintiff for Adjudication of Bankruptcy by A. B. against

I, of in the County of
aged upwards of sixteen years, make oath, and say as follows:—

(b) Jenis-jenis alat bukti

1. The said (b) was at the date of the filing of the Petition in this Matter, and still is justly and truly indebted to (c)

(c) If passed made by client or
agent, trustee aware of contents
or creditor's trustee will.

(d) The postal address should

of (d)

in the sum of (e)

603 *Parochial or Local Taxes*
are not payable within twelve months before date of Order of
Administration or Deliction in
Arrangement. *Property and
Incomes* 70s, up to 100s day of
Assessment.

I say that the taxes claimed by me were assessed on the Bankrupt (or Arranging Debtor), and not on any other person, and that they were assessed on the day of , and became due and payable on the day of , and I undertake to refund any taxes which may be paid to me in consequence of any error in this Statement as to the person assessed, or the date of assessment, or the date when the same became payable (f.)

I am a person in the employ of said , and that I am duly authorized by said to make this Affidavit, and that it is within my own knowledge that the aforesaid debt was incurred, and for the consideration above stated, and that such debt, to the best of my knowledge and belief, still remains unpaid and unsatisfied.

(b) "Residing" means a dwelling where a person lives on the inheritance, or property, or estate, or the whole or part thereof, and the value of which the creditor assesses such "residence" must be stated and estimated; but a residence may be a temporary one or a place of business, or the dwelling of any other person, or a family, and not be rendered untenable for the creditor.

The signature in witness to be struck out if read aloud by creditor in person.

Amount due, £.

Sworn at in the County of (g.) this day of , and I do Depositors here know Deponent, before me,

Exhibited this day 18]

Local Registrar.

PARTICULARS OF TAXES.

Referred to is the Affidavit on the other side hereof,

Re refer to the other side re to "Residence."

And which, with the dates, must be set out in full.

DATE.			£. s. d.

Deponent shall sign at the end of Schedule.

PLUTONIUM PATTERNS IN DISMANTLED SPHERULES ACT WITH

COFF of Queen in Coffers, died 16th January
1819, aged 78 years under the above age.

基础与应用数学系

friendly. The House of Commons, in its Printed
Journals, says—

Re: [Prior to 10/1] Under 1000